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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Kevin Zimmerman, and individual,

Plaintiff,

vs.

Einstein and Noah, Corp.,

Defendant.

Case No. 2:17-cv-00403-GMN-GWF

**CORRECTED STIPULATION AND
ORDER FOR EXTENSION TO RESPOND
TO COMPLAINT**

(SECOND REQUEST)¹

Plaintiff Kevin Zimmerman (“Plaintiff”) and Defendant Einstein and Noah Corp. d/b/a Einstein Bros. Bagels (“Einstein”) by and through their undersigned counsel (collectively the “Parties”), for good cause shown, hereby stipulate and agree to extend Einstein’s deadline to respond to Plaintiff’s Complaint [Doc #12] to July 3, 2017. This is the Parties’ second extension request.

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1, there exists good cause to grant this extension to respond for the following reasons:

1. Plaintiff served the Complaint and Summons on Einstein on April 11, 2017.

¹ The stipulation filed on May 23, 2017 erroneously requested a due date of June 19, 2017. This corrected stipulation correctly requests the Parties’ intended date of July 3, 2017. The Court noted its intention to grant pending stipulations for extensions of time at the status hearing on May 25, 2017. The Parties thus request that the date to respond to Plaintiff’s Complaint reflect their agreement of July 3, 2017, and treat this stipulation as the second request.

2. The Parties originally stipulated to extend Einstein's response deadline to June 2, 2017. The Parties subsequently agreed to extend the deadline to respond up to and including July 3, 2017.

3. Einstein needs the requested time to evaluate Plaintiff's allegations as well as the possibility of early resolution options. Specifically, Einstein's evaluation of Plaintiff's allegations involves site inspections of the relevant property, and Einstein needs additional time to investigate sufficiently. This would make each of this Defendant's responses in the three filed actions due on the same date.

4. The Parties agreed to the extension requested herein.

5. This stipulated extension request is sought in good faith and is not made for the purpose of delay.

Therefore, the Parties jointly agree to extend Einstein's deadline to respond to Plaintiff's Complaint to July 3, 2017.

DATED: JUNE 1, 2017

DATED: JUNE 1, 2017

THE WILCHER FIRM

SNELL & WILMER LLP.

By: /s/ Whitney C. Wilcher

By: /s/ Michael Paretti

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Attorneys for Plaintiff Kevin Zimmerman

Attorneys for Defendant Einstein and Noah Corp.

ORDER

IT IS ORDERED that Einstein shall respond to Plaintiff's Complaint by July 3, 2017.

DATED: June 5, 2017, 2017.


UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

SNELL & WILMER L.L.P.

By: /s/ Michael Paretti

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